IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE C.V.RAMULU**

**WRIT PETITION No. 18345 of 2004**

Between:

M. Raghurama Rao S/o late M.B.S. Prakasa Rao,

Hindu, aged about 53 years, AAO, Plot No.LIG-75,
Sector-5 MVP Colony, Visakhapatnam

**..... PETITIONER**

AND

1 The Zonal Manager, Life Insurance Corporation of India,

South Zone Office, Hyderabad
2 The Senior Divisional Manager, Life Insurance Corporationof India,

Divisional Office, Visakhapatnam

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ, order or direction particularly one in the nature of Mandamus declaring the order P&IR/CI.1/19/2004-05 dt 16-8-2004 of the 2nd Respondent issued in pursuance of the order P&IR/Desk-1/56/2004-05 dt 9-8-2004 of the 1st Respondent transferring the petitioner from Visakhapatnam Division to Warangal Division as illegal, arbitrary, and violative of ARt.14 16 of Constitution of India and consequently direct the Respondents to retain the Petitioner at Visakhapatnam Division as Assistant Administrative Officer.

**Counsel for the Petitioner: DR.P.B.VIJAY KUMAR**

**Counsel for the Respondents: MR.Y.CHANDRASEKHAR**

**The Court made the following:**

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**ORDER:**

This writ petition is filed challenging the order in P&IR/CI.1/19/2004-05, dated 16.08.2004 issued by the

2nd respondent pursuant to the order of the 1st respondent in P&IR/Desk-1/56/2004-05, dated 09.08.2004, transferring the petitioner from Visakhapatnam Division to Warangal Division.

2. The petitioner states that he has joined as an Assistant in the respondent organization in the year 1975 and at present he is working as an Assistant Administrative Officer in the Life Insurance Coporation of India at Visakhapatnam Division. Now he is transferred to Warangal Division under the impugned order. It is his further case that his wife is working at Visakhapatnam and his daughter is studying final year Medical at Visakhapatnam, and therefore, it would be difficult for him to visit his family all the while from Warangal, and that in spite of his subsequent representations requesting to retain him in Visakhapatnam division, the same have not been considered. Hence the writ petition.

3. A detailed counter has been filed by the respondents stating that as a matter of fact the petitioner worked as a Class-I Officer in Visakhapatnam from the year 1995 till the order impugned. The transfer of the petitioner is only done in accordance with the administrative need for filling up the promotional posts, and therefore, the request of the petitioner seeking to retain him at Visakhapatnam cannot be considered. 4. Heard the learned counsel on either side.

5. The main grievance of the petitioner is that in view of his repeated representations to the 2nd respondent to consider his case for

promotion to the post of Administrative Officer, the respondents bore grudge and ultimately transferred him to another division.

6. The learned counsel for the respondents strenuously contended that the petitioner worked for a longer period of 27 years in Visakhapatnam division alone from the date of his appointment, and transfer to Warangal is only on administrative grounds.

7. On a consideration of the entire material on record and also the undisputed fact that the petitioner had worked for more than 27 years in Visakhapatnam Division and worked for 8 years in the Divisional Headquarters and he has been transferred to Warangal division on promotion as an Administrative Officer. The transfer was on administrative grounds. No *mala fides* were attributed seriously against any one in this regard. Apart from that, in a case of this nature, this Court cannot interfere with the same invoking its jurisdiction under Article 226 of Constitution of India. Hence this writ petition is liable to be dismissed.

8. Accordingly, this Writ Petition is dismissed. However, this order will not preclude the respondents from considering the representations, purporting to have been made by the petitioner, in this regard.

**Note:**

Issue CC in two days.

**B/o**

**dsr**

**ASSISTANT REGISTRAR**

**To:**

1. The Zonal Manager,

Life Insurance Corporation of India,

South Zone Office, Hyderabad

2. The Senior Divisional Manager,

Life Insurance Corporation of India,

Divisional Office, Visakhapatnam

3. Two CD copies.